

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the reasons that follow.

Claims 1 and 15-19 are currently being amended. This amendment adds, changes, and deletes claims and claim text in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, each with an appropriate defined status identifier. Claims 1-22 are pending in this application.

Claim Rejections under 35 U.S.C. § 101

Claims 15-18 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant amends the rejected claims as suggested by the examiner in order to make the claims statutory.

Claim Rejections under 35 U.S.C. § 102

Claims 1-5, 10, 12, 14-16, 18-20, and 22 were rejected under 35 U.S.C. § 102 as being anticipated by Kemp, et al., US 2003/0200427 (hereafter "Kemp"). In response, without agreeing or acquiescing to the rejection, Applicant amends claims 1, 15, and 19 as in the Listing of Claims. Applicant respectfully submits that the above amended claims are allowable for at least the following reasons.

The amended claim 1 contains features not present in the features the original claim 1 as described in Examiner's point 4 (on Page 3), in that the amended claim 1 comprises adding a plug-in module resulting in allocating and initializing by a printer driver of a private

devmode structure in the heap area only when necessary to accomplish loading for UI display and printing, and, similarly, removing of each of the at least one plug-in module resulting in deallocation of the corresponding private devmode structure in the heap area only when necessary to accomplish loading of a printer driver. The details of these features are described in the paragraphs [0065] and [0072] among others in the specification of the present invention.

Such features are not taught or suggested by Kemp or by Nguyen et al., US 6,825,941 (hereafter "Nguyen"), as the features of the invention included in the amended claim 1 are directed toward accomplishing deferred or delayed allocation of resources in the provided heap area for private devmode structures; accomplishing such a goal is not discussed nor addressed by either Kemp or Nguyen. Therefore, the amended claim 1 is patentable over Kemp and Nguyen. The same argument can be made regarding the amended claims 15 and 19.

The dependent claims depend from one of the independent claims 1, 15, and 19, and are patentable for at least the same reasons, even in view of the Examiner's points regarding claims 2-5, 10, 12, 14-16, 18-20, and 22 on Pages 4-6. Accordingly, Applicant respectfully submits that claims 1-5, 10, 12, 14-16, 18-20, and 22 are not anticipated by Kemp and Nguyen and are therefore allowable. Applicant respectfully requests that the rejection under 35 U.S.C. § 102 be withdrawn and claims 1-6, 9-13, and 16-20 be allowed.

Claim Rejections under 35 U.S.C. § 103

Claims 6-9, 11, 17, and 21 were rejected under 35 U.S.C. § 103 as being unpatentable over Kemp in view of Nguyen. In response, without agreeing or acquiescing to the rejection, Applicant amends claims as shown in the Listing of Claims. Applicant respectfully submits that the above amended claims are allowable for at least the following reasons.

The Applicant respectfully traverses the rejection of claims 6-9, 11, 17, and 21 as amended. Applicant relies on the definition of obviousness set forth in 35 U.S.C. 103(a).

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The claims as amended contain the recitation of features that are not present, taught, or suggested in the devices of Kemp and Nguyen, because the amended claims are dependent claims dependent upon the amended independent claims 1, 15, and 19.

The dependent claims depend from one of the independent claims 1, 15, and 19, and are patentable for at least the same reasons, even in view of the Examiner's points regarding claims 6-9, 11, 17, and 21 on Pages 7-10. Accordingly, Applicant respectfully submits that claims 6-9, 11, 17, and 21 are not anticipated by Kemp and Nguyen and are therefore allowable. Applicant respectfully requests that the rejection under 35 U.S.C. § 103 be withdrawn and claims 6-9, 11, 17, and 21 be allowed.

Claim 13 was rejected under 35 U.S.C. § 103 as being unpatentable over Kemp in view of Nakao, US 2002/0035941 (hereafter "Nakao"). In response, without agreeing or acquiescing to the rejection, Applicant amends claims as shown in the Listing of Claims. Applicant respectfully submits that the above amended claims are allowable for at least the following reasons.

The claims as amended contain the recitation of features that are not present, taught, or suggested in the devices of Kemp and Nakao because the amended claims are dependent claims dependent upon the amended independent claims 1, 15, and 19.

The dependent claim 13 depends from the independent claim 1 and is patentable for at least the same reasons, even in view of the Examiner's points regarding claim 13 on Pages

10-11. Accordingly, Applicant respectfully submits that claim 13 is not anticipated by Kemp and Nakao and is therefore allowable. Applicant respectfully requests that the rejection under 35 U.S.C. § 103 be withdrawn and claim 13 be allowed.

Conclusion

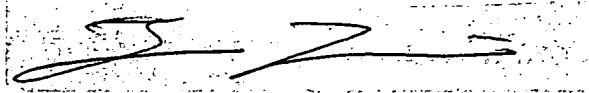
After amending the claims as set forth above, claims 1-22 are now pending in this application. Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

Respectfully submitted,

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Attorney for Applicant, Tomoyuki TANAKA



Reg. No. 52,273

Send Correspondence to:

Kyocera Technology Development
Intellectual Property Administration
1855 Gateway Blvd. Suite 400
Concord, CA 94520

Telephone: (925) 849 - 3333, 3351